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No. 12.

ANNUAL REPORT

OF THE

ATTORNEY-GENERAL

FOR THE

YEAR 1887.

BOSTON :
WRIGHT & POTTER PRINTING CO., STATE PRINTERS,
18 POST OFFICE SQUARE.
1888.

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Commonwealth of Massachusetts.

ATTORNEY-GENERAL'S DEPARTMENT, COMMONWEALTH BUILDING,
BOSTON, Jan. 18, 1888.

Hon. CHARLES J. NOYES, *Speaker of the House of Representatives :*

I have the honor to submit to the General Court, herewith enclosed, the annual report of this department.

Very respectfully,

A. J. WATERMAN,
Attorney-General.

Commonwealth of Massachusetts.

ATTORNEY-GENERAL'S DEPARTMENT, COMMONWEALTH BUILDING,
BOSTON, Oct. 1, 1887.

To the Honorable Speaker of the House of Representatives :

In accordance with section 9 of chapter 17 of the Public Statutes, I have the honor to submit to the General Court so much of the annual report of this department as relates to the work therein prior to October 1st. The tables and lists of cases, and a description thereof, are made up for the full year, and will be found upon pages 18 and 19.

During the year I have attended to the disposition of the following cases in the Supreme Judicial Court, in which the prisoners were charged with the crime of murder :—

IN THE COUNTY OF MIDDLESEX.

At East Cambridge, on June 21, the trial of James E. Nowlin of Somerville, for the killing of George A. Codman at Somerville, on the 4th of January, 1887. Justices Field and William Allen presided.

The facts of the crime—one of the most atrocious, all things considered, of any in the history of Middlesex County—are briefly as follows :—

Upon the 4th and 5th of January, 1887, there were found distributed for some considerable distance along the road leading to Lexington, the bloody clothing and the dismembered parts of a human body ; the head being in one place, the trunk in another, the legs and arms in still other places, and bloody clothing in a yet different place. James E. Nowlin, who was employed by George A. Codman in the conduct of his milk business, was suspected and finally

arrested. Nowlin was only 17 years of age, and at first it was thought impossible that one so young should have committed so fearful a crime; but the police were of a different opinion, as they knew him to be of a vicious disposition. At first Nowlin made several statements denying the commission of the crime and implicating others, all of which were contradictory, and finally made a full confession, in which he acknowledged that he alone committed the crime. Nowlin was sufficiently acquainted with Codman's business to know that he had, at certain times, large sums of money about him, and it appears that it was his desire to obtain this money that led him to the commission of this crime. He lay in wait for Codman in his barn, and there, with an immense butcher knife, attacked Codman wholly unawares, and at the first thrust cut his throat almost from ear to ear. Codman had just life enough to cry out, "Don't, Ed!" Nowlin then, to make sure of his work, struck Codman many blows on the head with an axe. He then hewed him to pieces and hid the dismembered parts in a blanket under a pung. After endeavoring to conceal the evidence of his crime, he proceeded to perform his regular duties in the delivery of the milk. After that, and the eating of a good dinner, he returned to the stable and mutilated the body in various ways, for the purpose of preventing identification. He had found little money upon Codman's person, but taking his keys he coolly went to his house and said Codman had sent him for his money, and succeeded in obtaining \$295. He then returned to the barn, and placing the various parts of the body in the pung, drove rapidly toward Lexington, distributing the body as found the next day.

The government claimed that the murder was committed for the sake of robbing Codman; that Nowlin went to the stable on the night of the 3d of January intending to commit the crime; that after the crime was committed the clothing was destroyed, and the terrible mutilation made, for the purpose of concealing the crime.

The defence was insanity. It was claimed that Nowlin had, from time to time, shown symptoms of insanity, and that he had inherited it from his family; and evidence upon

this point was introduced, it appearing in evidence that his father hung himself while in prison, and that some of his relations were known as “queer.”

The trial lasted for four days, and ended on the night of the fourth day at ten o'clock, at which time the jury returned a verdict of guilty of murder in the first degree.

On July 6, 1887, the prisoner was sentenced to be hung on Friday, January 20, 1888.

The case was ably conducted for the defence by H. E. Fales and Charles C. Mellen, Esqs. District-Attorney William Stevens assisted me, and he and the officers who prepared the case for trial deserve much credit.

The other murder cases pending at the time of the last annual report of this department have been disposed of as follows : —

Patrick McDonald of Athol, Worcester County, for the murder of his wife, Margaret McDonald, with an axe, on August 18, 1886. Plea of guilty of murder in the second degree accepted. Prisoner sentenced to State prison for life.

Abram J. Lamb, *alias* Sarah B. Wheaton, and Mary B. Eliot, all of Boston, Suffolk County, for the murder of Abram J. Lamb, *alias* the younger of that name, by poison, on October 16, 1886. Prisoners discharged; evidence insufficient.

Emil F. Kempf of Boston, Suffolk County, for the murder of George F. Emmons, with a knife, November 25, 1886. Plea of guilty of murder in the second degree accepted. Prisoner sentenced to State prison for life.

William B. O'Connor, otherwise Jockey Connor, of Lawrence, Essex County, for the murder of Hannah Langan, with an axe, July 25, 1886. Plea of guilty of murder in the second degree accepted. Prisoner sentenced to State prison for life.

Samuel Mitchell of Lynn, Essex County, for the murder of Ada Tyler, on the 22d of January, 1887, with a razor. Plea of guilty of murder in the second degree accepted. Prisoner sentenced to State prison for life.

The case of the Attorney-General *ex rel.* Treasurer *v.* Western Union Telegraph Company is one of the most important which has required the attention of the department, and because of its far-reaching effects a brief summary of its main features is here given.

The suit of the Attorney-General was originally brought by information at the relation of the Treasurer in the Supreme Judicial Court, and was for the non-payment of the corporation tax assessed upon the Western Union Telegraph Company.

The defendant corporation, being a foreign corporation, exercised its legal right by immediately removing the case to the United States Circuit Court for the Massachusetts district, in which court the case came on, and was duly argued by Harvey N. Shepard, Esq., Assistant Attorney-General for the Commonwealth, and Hon. George S. Hale for the company. The point in issue, and raised by the defendant, had to do with the manner of the assessment of the tax, which had to do with the amount thereof.

The position taken by the defendant is that this tax, levied under chapter 13 of the Public Statutes of Massachusetts, is illegal: first, because of its operation and effect upon a franchise granted by the United States, and used for its purposes and benefit; second, because it is a tax upon interstate or foreign commerce; third, because it is in effect levied upon real estate located and taxed in another State.

If the defendant's claim was allowed it would practically exempt this company, and other telegraph companies who have accepted the Act of Congress of July 24, 1866, from taxation not only in this State, but eventually in every State. Other points were made by the defendant, but this was the one the most relied upon. The case has not been decided.

Two cases,—*Wesson v. Commonwealth* and the *Town of Milford v. Commonwealth*,—both referred to in the last report of the department as of considerable interest, inasmuch as in their decision an interpretation, as to effect and limitation, of chapter 195 of the Public Statutes was neces-

sary, have been finally decided. These cases were tried before three Judges of the Superior Court, sitting together, as provided in said chapter. The claims of the petitioner were disallowed, and the case was taken, on report, to the Supreme Judicial Court, where they were subsequently argued and decided in favor of the Commonwealth, the court saying that under this statute the claims which may be sued must be founded on a contract made by the Commonwealth for the payment of money, and that the statute did not give the court jurisdiction over all claims against the Commonwealth. (See 144 Mass., pp. 60 to 66.)

Section one of chapter 195 aforesaid was amended by chapter 246 of the Acts of 1887, so that the Superior Court now has jurisdiction of all claims against the Commonwealth, whether in law or in equity.

In accordance with the authority given me by chapter 214 of the Acts of 1886, for the publication of reports in capital trials, I have had prepared the proceedings in the trial of Thomas W. Piper for the murder of Mabel H. Young, the same having been published and distributed in accordance with the provisions of that chapter. The second volume of this series now being prepared, and partially in the hands of the printer, is the trial of Henry K. Goodwin for the murder of Albert D. Swan, in which the rule regarding the burden of proof in murder cases where insanity is the defence is changed, will, probably, be ready for distribution within a few months.

In August I attended, as representing the Commonwealth, the Inter-State Extradition Conference, held at the room of Association of the Bar of New York City. The conference remained in session three days and accomplished good work. A set of rules and regulations appertaining to the greater uniformity in matter of requisitions were drawn up and accepted. They have since been adopted by executive order in this Commonwealth, and probably in the several other States represented.

As these rules are few in number, and different in many particulars from the old rules, they are here printed :

RULES OF PRACTICE IN REQUISITION CASES.

Every application to the Governor for a requisition upon the executive authority of any other State or Territory, for the delivery up and return of any offender who has fled from the justice of this State, must be made by the district or prosecuting attorney for the county or district in which the offence was committed, and must be in duplicate original papers, or certified copies thereof.

The following must appear by the certificate of the district or prosecuting attorney:—

(a.) The full name of the person for whom extradition is asked, together with the name of the agent proposed, to be properly spelled.

(b.) That in his opinion the ends of public justice require that the alleged criminal be brought to this State for trial, at the public expense.

(c.) That he believes he has sufficient evidence to secure the conviction of the fugitive.

(d.) That the person named as agent is a proper person, and that he has no private interest in the arrest of the fugitive.

(e.) If there has been any former application for a requisition for the same person, growing out of the same transaction, it must be so stated, with an explanation of the reasons for a second request, together with the date of such application, as near as may be.

(f.) If the fugitive is known to be under either civil or criminal arrest in the State or Territory to which he is alleged to have fled, the fact of such arrest and the nature of the proceedings on which it is based must be stated.

(g.) That the application is not made for the purpose of enforcing the collection of a debt, or for any private purpose whatever, and that if the requisition applied for be granted, the criminal proceedings shall not be used for any of said objects.

(h.) The nature of the crime charged, with a reference, when practicable, to the particular statute defining and punishing the same.

(i.) If the offence charged is not of recent occurrence, a satisfactory reason must be given for the delay in making the application.

1. In all cases of fraud, false pretences, embezzlement or forgery, when made a crime by the common law, or any penal code or statute, the affidavit of the principal complaining witness or informant that the application is made in good faith, for the sole purpose of punishing the accused, and that he does not desire or expect to use the prosecution for the purpose of collecting a

debt, or for any private purpose, and will not directly or indirectly use the same for any of said purposes, shall be required, or a sufficient reason given for the absence of such affidavit.

2. Proof by affidavit of *facts and circumstances* satisfying the Executive that the alleged criminal has fled from the justice of the State, and is in the State on whose Executive the demand is requested to be made, must be given. The fact that the alleged criminal was in the State where the alleged crime was committed at the time of the commission thereof, and is found in the State upon which the requisition was made, shall be sufficient evidence, in the absence of other proof, that he is a fugitive from justice.

3. If an indictment has been found, certified copies, in duplicate, must accompany the application.

4. If an indictment has not been found by a grand jury, the *facts and circumstances* showing the commission of the crime charged, and that the accused perpetrated the same, must be shown by affidavits taken before a *magistrate* (a notary public is not a magistrate within the meaning of the statutes). It must also be shown that a complaint has been made, copies of which must accompany the requisition, such complaint to be accompanied by affidavits to the facts constituting the offence charged by persons having actual knowledge thereof, and that a warrant has been issued, and duplicate certified copies of the same, together with the returns thereto, if any, must be furnished upon an application.

5. The official character of the officer taking the affidavits or depositions and of the officer who issued the warrant must be duly certified.

6. Upon the renewal of an application, — for example, on the ground that the fugitive has fled to another State, not having been found in the State on which the first was granted, — new or certified copies of papers, in conformity with the above rules, must be furnished.

7. In the case of any person who has been convicted of any crime, and escapes after conviction, or while serving his sentence, the application may be made by the jailer, sheriff or other officer having him in custody, and shall be accompanied by certified copies of the indictment or information, record of conviction and sentence upon which the person is held, with the affidavit of such person having him in custody, showing such escape, with the circumstances attending the same.

8. No requisition will be made for the extradition of any fugitive except in compliance with these rules.

Being about to retire from the office of the Attorney-General, after having had the honor of serving the Commonwealth in that capacity for nearly five years, I can with propriety recommend that the salaries of the officers in the department be increased. The work therein has and is materially increasing. Every year shows a greater volume of work, much of which is not and cannot well be noted in the annual report of the department. In 1879, when the general reduction of salaries of State officers was made, the salary of the Attorney-General was reduced from five thousand to four thousand dollars. In the case of all other officers whose salaries were reduced a corresponding increase has been had. I would recommend that the salary of the Attorney-General be fixed at the amount paid before the reduction of 1879, and that the salaries of the two assistants be, at least, twenty-five hundred and two thousand each, respectively. I would also recommend, as being a matter of need, that the assistant in the department known as Law Clerk be made a second assistant attorney-general, with the salary above noted. This change is of importance in that, at present, the law clerk, although fully competent so to do, cannot, as law clerk, well represent the department at all times in all the courts.

The collections of the year are large in amount, and were obtained from between forty and fifty different corporations and individuals. The total amount collected (for a more particular description of which see pp. 38 and 39, of this report) was \$21,299.55. Of this amount \$20,756.60 was received from corporations for taxes; \$25 for fees, and \$517.95 from insurance agents for taxes.

The department has been called upon to advise with the heads of other departments of the State government to an unusual extent during the year.

Harvey N. Shepard, Esq., and Henry A. Wyman, Esq., continued in the offices of Assistant Attorney-General and Law Clerk, and have rendered faithful and efficient service.

EDGAR J. SHERMAN,

Attorney-General.

Commonwealth of Massachusetts.

ATTORNEY-GENERAL'S DEPARTMENT, COMMONWEALTH BUILDING,
BOSTON, Jan. 18, 1888.

To the Honorable Speaker of the House of Representatives :

In accordance with section 9 of chapter 17 of the Public Statutes, I have the honor to submit to the General Court so much of the annual report of this department as relates to the work therein since October 1st, 1887.

Of the indictments pending for murder at the time of my accession to this office, one has been tried. As the law now is, murder trials must be had before two or more of the justices of the Supreme Judicial Court at a stated or special jury term, or before the full court at a law term. Sarah J. Robinson was arrested August 11, 1886, at Somerville, in Middlesex County, on a complaint against her for murdering her son, William J. Robinson, by administering to him arsenic, and after examination was committed to jail, and at the February Term, 1887, of the Superior Court, the grand jury for said county returned an indictment against her for murder. Early in November last, upon consultation with the District Attorney, Hon. W. D. Stevens, and Messrs. Goodrich & Crane, counsel for Mrs. Robinson, and myself, His Honor Chief Justice Morton assigned Monday, the 12th of December, at East Cambridge, for her trial before Justices Field and Knowlton, of the Supreme Judicial Court; and the trial was had, as assigned, lasting six days, and the jury, without agreeing upon a verdict, after nearly twenty-four hours' deliberation, were discharged, and the prisoner remanded to jail, where she has been since her first arrest, being held upon this and the four other indictments pending against

her for murder, found at the same term of Court. The sixth day of February next has been assigned for her trial upon one of the other of said indictments.

The law requires that trials for murder "shall be had as soon after the finding of the indictment as the other official duties of the justices admit," etc. I would suggest, in view of the increased and increasing duties of the justices of the Supreme Judicial Court, whether it would not be wise to change the law, so that murder trials may be had in the Superior Court. It seems to me that it would not endanger the rights of the prisoner, and trials would be much more readily obtained, and somewhat more economically conducted.

The following indictments for murder are now pending: —

Adolph A. Albrecht of Boston, Suffolk County, for the murder of Edward Flanigan, on the 28th of March, 1887, by shooting with a pistol.

Adolph A. Albrecht of Boston, Suffolk County, for the murder of David Lanahan, on the 28th of March, 1887, by shooting with a pistol.

Thomas Smith of Gloucester, Essex County, for the murder of Thomas A. Lomasney, on the 25th day of April, 1887, by drowning in harbor at Gloucester.

Annie Townes of Cambridge, Middlesex County, for the murder of Edward Townes, on November 16, 1886, by poisoning with arsenic.

Herbert I. Hoxie of New Bedford, Bristol County, for the murder of Herbert L. Woodward, otherwise Herbert L. Hoxie, by pushing him into the Acushnet River, on August 9, 1885, whereby he was drowned.

Sarah J. Robinson of Somerville, Middlesex County, for the murder of Thomas Arthur Freeman, on July 1, 1886, by poisoning with arsenic.

Sarah J. Robinson of Somerville, Middlesex County, for the murder of Prince Arthur Freeman, on June 20, 1885, by poisoning with arsenic.

Sarah J. Robinson of Somerville, Middlesex County, for the murder of Moses Williams, on July 1, 1882, by poisoning with arsenic.

Sarah J. Robinson of Somerville, Middlesex County, for the murder of Oliver Sleeper, on August 1, 1881, by poisoning with arsenic.

Sarah J. Robinson of Somerville, Middlesex County, for the murder of Lizzie A. Robinson, by poison, on February 1, 1886.

Sarah J. Robinson of Somerville, Middlesex County, for the murder of William J. Robinson, by poison, on August 9, 1886.

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Savings Deposits. — My attention has been called to the interest the Commonwealth may have in deposits of long standing in the several savings banks, and under and by reason of the statute of 1887, chapter 319, it has been made to appear that there are probably sums to a large amount remaining in the savings banks upon which no interest is accumulating, and which, under the laws, rightfully belong to the Commonwealth. I suggest some legislation requiring all amounts, which have remained on deposit for more than twenty years unclaimed, to be paid into the treasury of the Commonwealth, to be held and used under such conditions as may be deemed best.

The suit of William Washburn *v.* the Commonwealth, brought in the Suffolk Superior Court, under chapter 246, Acts of 1887, involves the right of the plaintiff to recover on equitable grounds for certain services alleged to have been rendered at the request of a joint standing committee on the State House of the General Court of 1878. An appropriation of \$1,050 was made by the Legislature of 1885, to settle the claim—that sum representing the value of plans of the petitioner actually taken and used — but the sum has not been accepted or paid, and the claimant now seeks equitable relief in his present proceeding. The cause will shortly be heard on demurrer.

A suit is now pending between the Commonwealth and the Troy and Boston Railroad Company, involving the collection of the annual rental of twelve thousand dollars due the State under an old lease of the Southern Vermont Railroad

Company to the Troy and Boston Railroad Company, dated November 1, 1856.

Subsequent to the execution of the lease, the franchise and property of the Southern Vermont Railroad, with the rent reserved in said lease, was conveyed to the Troy and Greenfield Railroad Company. In 1860 the capital stock of the Southern Vermont Railroad Company, together with the rent reserved in said lease, were assigned in mortgage to the Commonwealth as security for advances of credit, etc. This mortgage was foreclosed, and in 1884 the Troy and Greenfield Railroad Company executed a release to the Commonwealth by which the title to the property became absolute in the State, subject to the lease and annual rental above described.

This rental was paid by the Troy and Boston Company until May, 1883, when for some alleged failure of lessor to perform certain conditions of the lease further payment was refused.

The suit is now pending in the Superior Court, Suffolk County.

The case of the Attorney-General *ex. rel.* Treasurer *v.* Western Union Telegraph Company, which my predecessor in office reports as pending in the Circuit Court of the United States, was decided on November 28, by Judge Colt, in favor of the Commonwealth, who decreed that an injunction should issue unless the tax was paid within thirty days. The defendant appealed the case to the Supreme Court of the United States, which vacates the decree of the Circuit Court.

As the case is one of importance, and as there are the taxes of three years already pending upon its decision, the department asked the Supreme Court of the United States to advance the case for a speedy hearing. Assistant Attorney-General Bliss went on to Washington and submitted the motion, and the case has been set down for February 13th next for argument.

I endorse the recommendation of my predecessor in office, that the assistant known as the Law Clerk be made a

second Assistant Attorney-General, with at least the salary recommended by him. When I came into the office, Henry A. Wyman, Esq., was acting as Law Clerk, and I immediately reappointed him to that position. Harvey N. Shepard, Esq., the former Assistant Attorney-General, resigned with Attorney-General Sherman and declined to accept from me a reappointment, and Mr. Wyman ably performed all the duties of both Law Clerk and Assistant, till I appointed Henry C. Bliss, Esq., of Springfield to fill the vacancy caused by Mr. Shepard's resignation.

Both Mr. Wyman and Mr. Bliss have rendered very valuable services in the business of the office.

Details of the work of the department for the whole year, with tables, are annexed.

ANDREW J. WATERMAN,
Attorney-General.

TABLE OF CASES.

The total number of cases that have required the attention of the department is 513. The following table is a classification thereof :—

	1886.	1887.
Indictments for murder,	23	26
Exceptions and reports in criminal cases,	104	115
Information upon relation of public officers,	129	266
Information upon relation of private persons,	11	17
Miscellaneous,	13	71
Civil suits,	8	18
Total,	388	513

TABLE

Showing the Number of Criminal Cases pending on Questions of Law in the Supreme Judicial Court during the year ending Jun. 18, 1888, and the Disposition thereof by Counties.

COUNTIES.	Cases.	Decided for the Commonwealth.	Decided against the Commonwealth.	Argued, but not decided.	Pending.
Berkshire,	2	2	—	—	—
Bristol,	3	2	1	—	—
Dukes,	1	—	1	—	—
Essex,	11	9	2	—	—
Franklin,	1	1	—	—	—
Hampden,	1	1	—	—	—
Middlesex,	28	21	4	—	3
Norfolk,	7	4	2	1	—
Plymouth,	10	9	1	—	—
Suffolk,	23	15	—	—	8
Worcester,	28	25	3	—	—
Totals,	115	89	14	1	11

TABLE

Showing the Number and Character of Criminal Cases pending on Questions of Law in the Supreme Judicial Court during the Year ending Jan. 18, 1888, and the Disposition thereof.

OFFENCES.	Cases.	Decided for the Commonwealth.	Decided against the Commonwealth.	Argued, but not decided.	Pending.
Abortion,	1	1	—	—	—
Adulterated milk, possession of,	4	1	1	—	2
Adulterated milk, sale of,	1	1	—	—	—
Adultery,	1	1	—	—	—
Assault,	3	2	1	—	—
Assault with dangerous weapon,	1	—	—	—	1
Attempt to extort money,	1	1	—	—	—
Changing a ballot,	1	1	—	—	—
Cruelty to animals,	1	1	—	—	—
Embezzlement,	1	1	—	—	—
Forgery,	1	1	—	—	—
Fraudulent voting,	1	—	1	—	—
House of ill-fame,	1	—	1	—	—
Illegal fishing,	1	1	—	—	—
Indecent assault,	1	1	—	—	—
Keeping a pool room,	1	—	—	—	1
Larceny,	1	1	—	—	—
Liquor, illegal keeping of,	28	25	2	1	—
Liquor, illegal sale of,	11	9	—	—	2
Liquor, illegal transportation of,	3	3	—	—	—
Liquor nuisance,	35	26	6	—	3
Liquor, leasing a building for,	1	—	1	—	—
Lobsters, illegal possession of,	1	1	—	—	—
Lottery, promoting,	1	—	—	—	1
Perjury,	1	1	—	—	—
Polygamy,	1	1	—	—	—
Sending a threatening letter,	1	1	—	—	—
Throwing a missile,	2	1	1	—	—
Violation of the Lord's Day Act,	6	6	—	—	—
Violation of municipal ordinance,	2	1	—	—	1
Total,	115	89	14	1	11

CASES

Argued and conducted by the Attorney-General, during the Year ending Jan. 18, 1888.

BERKSHIRE COUNTY.

Commonwealth *v.* Salmon Barlow. S. J. C. *Sending threatening letter.* Exceptions S. C. Overruled.

Commonwealth *v.* Luther B. Brusie. S. J. C. *Liquor nuisance.* Exceptions S. C. Overruled.

BRISTOL COUNTY.

Commonwealth *v.* George Hill. S. J. C. *House of ill-fame.* Exceptions (liability of husband; wife owning and running) S. C. Sustained.

Commonwealth *v.* James F. Moore. S. J. C. *Liquor nuisance.* Exceptions S. C. Overruled.

Commonwealth *v.* William Pratt. S. J. C. *Illegal sale of liquors.* Exceptions S. C. Overruled.

Commonwealth *v.* Herbert I. Hoxie. S. J. C. *Murder.* Pending.

DUKES COUNTY.

Commonwealth *v.* Holden M. Brownell. S. J. C. *Liquor nuisance.* Exceptions (limitation of right of court to interrupt counsel during argument of case) S. C. Sustained.

ESSEX COUNTY.

Commonwealth *v.* Benjamin F. Shaw. S. J. C. *Embezzlement.* Exceptions (insufficient description of property) S. C. Overruled.

Commonwealth *v.* Amos Ingersoll. S. J. C. *Liquor nuisance.* Exceptions S. C. Overruled.

Commonwealth *v.* Godfrey and Murphy. S. J. C. *Liquor nuisance.* Exceptions S. C. Overruled as to Murphy. Sustained as to Godfrey.

Commonwealth v. James Clark. S. J. C. *Liquor nuisance.* Exceptions S. C. Overruled.

Commonwealth v. George B. Eliot. S. J. C. *Unlawful fishing in a great pond.* Exceptions S. C. Overruled.

Commonwealth v. Edward Ingersoll. S. J. C. *Illegal keeping of intoxicating liquors.* Exceptions S. C. Sustained.

Commonwealth v. William Snee. S. J. C. *Illegal keeping of intoxicating liquors.* Exceptions S. C. Sustained.

Commonwealth v. William C. Christie. S. J. C. *Illegal keeping of intoxicating liquors.* Exceptions S. C. Overruled.

Commonwealth v. James Henry McCafferty. S. J. C. *Violation of city ordinance.* Exceptions S. C. Overruled.

Commonwealth v. Daniel Callahan. S. J. C. *Illegal transportation of intoxicating liquors.* Exceptions S. C. Overruled.

Commonwealth v. John H. Cilley and Asa M. Lovering. S. J. C. *Illegal sale of intoxicating liquors.* Exceptions S. C. Overruled.

Commonwealth v. William Russell. S. J. C. *Murder.* Defendant committed to the Taunton Lunatic Asylum to await further order of the court.

Commonwealth v. William B. O'Connor. *Murder.* Plea of guilty of murder in the second degree accepted. Prisoner sent to State Prison for life.

Commonwealth v. Samuel Mitchel. S. J. C. *Murder.* Plea of guilty of murder in the second degree accepted. Prisoner sent to State Prison for life.

Commonwealth v. Thomas Smith. S. J. C. *Murder of Thomas Lomasney.* Not yet tried.

FRANKLIN COUNTY.

Commonwealth v. Chester A. Hinds. S. J. C. *Assault upon a constable; searching house in the night.* Exceptions S. C. Overruled.

HAMPDEN COUNTY.

Commonwealth v. Valentine Ewig. S. J. C. *Illegal sale of intoxicating liquor. Club-house case.* Exceptions S. C. Overruled.

Commonwealth v. John Kemmler. S. J. C. *Murder.* Defendant in Worcester Hospital.

HAMPSHIRE COUNTY.

Commonwealth v. Benjamin Eastman. S. J. C. *Murder*. Defendant in Worcester Hospital.

MIDDLESEX COUNTY.

Commonwealth v. James Boyle. S. J. C. *Liquor nuisance*. Exceptions S. C. Overruled.

Commonwealth v. John McNeff. S. J. C. *Liquor nuisance*. Exceptions (objection to evidence of a drunkard) S. C. Overruled.

Commonwealth v. John O. Mahoney. S. J. C. *Liquor nuisance*. Exceptions S. C. Overruled.

Commonwealth v. Bealy F. Fowler. S. J. C. *Illegal sale of intoxicating liquors to minor for another*. Exceptions S. C. Overruled.

Commonwealth v. Patrick F. Deniher. S. J. C. *Liquor nuisance*. Exceptions (recognizance with but one surety) S. C. Overruled.

Commonwealth v. Thomas Donnellon. S. J. C. *Liquor nuisance*. Exceptions S. C. Overruled.

Commonwealth v. Thomas Donnellon. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.

Commonwealth v. Frederick H. Bisch. S. J. C. *Liquor nuisance*. Exceptions (sufficiency of record) S. C. Overruled.

Commonwealth v. Daniel Sheehan. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.

Commonwealth v. Francis J. McCarthy. S. J. C. *Throwing a missile; stone*. Exceptions (variance; missile thrown, piece of wood) S. C. Sustained.

Commonwealth v. Patrick H. Carroll. S. J. C. *Throwing a stone at a street car*. Exceptions (to evidence) S. C. Overruled.

Commonwealth v. Mortimer Downey. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions (to evidence) S. C. Overruled.

Commonwealth v. David Locke. S. J. C. *Liquor nuisance*. Exceptions (to evidence of smell of liquor) S. C. Overruled.

Commonwealth v. Joseph Uhrig. S. J. C. *Liquor nuisance*. Exceptions (to evidence of U. S. tax receipt) S. C. Not yet heard.

Commonwealth v. James Ford. S. J. C. *Liquor nuisance.* Exceptions (to evidence of former conviction; meaning of "crime" under sect. 19, chap. 169) S. C. Not yet heard.

Commonwealth v. Intoxicating Liquors, Zephria Lucia, claimant. *Liquor nuisance.* Exceptions (defective description of building) S. C. Not yet heard.

Commonwealth v. Alvorus Hersey. S. J. C. *Liquor nuisance.* *Part of building in two towns.* Exceptions S. C. Overruled.

Commonwealth v. William F. Welch. S. J. C. *Illegal keeping of intoxicating liquors.* *When does license take effect, from date or from filing of bond.* Exceptions S. C. Overruled.

Commonwealth v. Volney R. Chamberlain. S. J. C. *Perjury.* Exceptions S. C. Discharged. Defendant died.

Commonwealth v. Owen Luddy. S. J. C. *Illegal sale of liquors to be drunk on premises.* Exceptions S. C. Overruled.

Commonwealth v. Alvorus Hersey. S. J. C. *Illegal keeping of intoxicating liquors.* Exceptions S. C. Overruled.

Commonwealth v. Alvorus Hersey. S. J. C. *Illegal keeping of intoxicating liquors.* Exceptions S. C. Overruled.

Commonwealth v. Alvorus Hersey. S. J. C. *Liquor nuisance.* Exceptions S. C. Overruled.

Commonwealth v. Daniel D. Sheehan. S. J. C. *Liquor nuisance.* Exceptions S. C. Overruled.

Commonwealth v. James K. Jardine. S. J. C. *Assault and battery.* Exceptions S. C. Sustained.

Commonwealth v. Charles W. Lockhardt. S. J. C. *Possession, with intent to sell, adulterated milk.* Exceptions S. C. Sustained.

Commonwealth v. George E. Howe. S. J. C. *Fraudulent voting.* Exceptions S. C. Sustained.

Commonwealth v. John S. Keefe. S. J. C. *Illegal transportation of intoxicating liquors.* Exceptions S. C. Overruled.

Commonwealth v. James E. Nowlin. *Murder of George A. Codman.* Convicted of murder in first degree. Sentenced to be hung.

Commonwealth v. Sarah J. Robinson, Charles C. Beers, Thomas R. Smith. *Murder of William J. Robinson.* Nol pros'd as to Beers and Smith. Tried Dec. 12, 1887, six days. Jury disagreed.

Commonwealth v. Same. *Murder of Lizzie A. Robinson.* Not yet heard.

- Commonwealth *v.* Sarah J. Robinson. *Murder of Prince Arthur Freeman.* Not yet tried.
- Commonwealth *v.* Sarah J. Robinson. *Murder of Oliver Sleeper.* Not yet tried.
- Commonwealth *v.* Sarah J. Robinson. *Murder of Moses Robinson.* Not yet tried.
- Commonwealth *v.* Sarah J. Robinson. *Murder of Thomas Arthur Freeman.* Not yet tried.
- Commonwealth *v.* Mortimer Johnson and Sarah A. Johnson. S. J. C. *Murder.* Mortimer escaped from prison and is at large ; Sarah released on her own recognizance.
- Commonwealth *v.* Joseph Sullivan. *Murder.* Defendant in Taunton Lunatic Hospital.
- Commonwealth *v.* Annie Townes. S. J. C. *Murder of Edward Townes.* Not yet tried.

• NORFOLK COUNTY.

- Commonwealth *v.* Edwin Wentworth. S. J. C. *Leasing a building for the illegal sale of liquor.* Exceptions (to evidence) S. C. Sustained.
- Commonwealth *v.* Henry Purdy. S. J. C. *Illegal keeping of intoxicating liquors.* Exceptions (to ruling that sale any time within two years warranted conviction) S. C. Argued but not decided.
- Commonwealth *v.* Eugene M. Moran. S. J. C. *Illegal keeping of intoxicating liquors.* Exceptions (to ruling as to possession) S. C. Overruled.
- Commonwealth *v.* Philip McParland. S. J. C. *Illegal keeping of intoxicating liquors.* Exceptions (to copy of record) S. C. Judgment on the verdict.
- James Galligan in error *v.* Commonwealth. S. J. C. *Illegal sale of liquors.* Writ of error. Waived.
- Commonwealth *v.* Edward H. Galligan and James Galligan. S. J. C. *Liquor nuisance.* Exceptions (as to ruling upon point of ownership) S. C. Sustained.
- Commonwealth *v.* James Warren. S. J. C. *Polygamy.* Exceptions S. C. Overruled.
- Commonwealth *v.* Dennis Carney. *Murder.* Defendant in Stoughton Almshouse.
- Commonwealth *v.* David Scannel. *Murder.* Defendant in Taunton Hospital.

PLYMOUTH COUNTY.

- Commonwealth v. Jonathan Hatch. S. J. C. *Liquor nuisance.*
Exceptions. S. C. Overruled.
- Commonwealth v. Elmer Turner. S. J. C. *Cruelty to animals.*
Fox hunt. Exceptions S. C. Overruled.
- Commonwealth v. Jonathan Hatch. S. J. C. *Indecent assault*
and battery. Exceptions S. C. Overruled.
- Commonwealth v. Catherine Hayes. S. J. C. *Liquor nuisance.*
Exceptions (to private conversations between husband and
wife) S. C. Sustained.
- Commonwealth v. James McDonald. S. J. C. *Illegal sale of in-*
toxicating liquors. Exceptions (to ruling) S. C. Overruled.
- Commonwealth v. Timothy Denehy. S. J. C. *Liquor nuisance.*
Exceptions S. C. Overruled.
- Commonwealth v. John Buckley and John Clune. S. J. C.
Attempting to extort money. Exceptions (to ruling; variance
in middle name) S. C. Overruled as to one and sustained
as to the other.
- Commonwealth v. Thomas Gallagher. S. J. C. *Liquor nui-*
sance. Exceptions (to complaint) S. C. Overruled.
- Commonwealth v. Timothy Denehy. S. J. C. *Liquor nuisance.*
Exceptions S. C. Overruled.
- Commonwealth v. Dominick McGowan. S. J. C. *Liquor nui-*
sance. Exceptions S. C. Overruled.

SUFFOLK COUNTY, CRIMINAL.

- Commonwealth v. Patrick J. Murray. S. J. C. *Illegal keeping*
of intoxicating liquors. Exceptions S. C. Overruled.
- Commonwealth v. William A. Barber. S. J. C. *Possession, with*
intent to sell, of lobsters less than ten and one-half inches long.
Exceptions S. C. Overruled.
- Commonwealth v. James W. Crowley. S. J. C. *Keeping open*
shop on the Lord's day. (Question, who is a baker?) Excep-
tions S. C. Overruled.
- Commonwealth v. Benjamin F. Holt. S. J. C. *Sale of adulter-*
ated milk. Contract for delivery of the milk of one cow. Ex-
ceptions S. C. Overruled.
- Commonwealth v. James Sullivan. S. J. C. *Larceny from the*
person. Exceptions S. C. Overruled.
- Commonwealth v. Cornelius Minehan. S. J. C. *Illegal keeping*
of intoxicating liquors. Exceptions (to evidence of meaning
of word "beverage") S. C. Overruled.

- Commonwealth v. Francis L. White. S. J. C. *Forgery and uttering forged papers*. Exceptions S. C. Overruled.
- Commonwealth v. Frank McGurty. S. J. C. *Violation of sect. 43, chap. 229 of the Acts of 1884. (Changing a ballot by inspector after being cast.)* Exceptions S. C. Overruled.
- Commonwealth v. David Starr. S. J. C. *Keeping open shop on the Lord's day (sale of meat prepared for Jewish Church ceremonial)*. Exceptions S. C. Overruled.
- Commonwealth v. William Dale. S. J. C. *Keeping open shop on the Lord's day (sale of newspapers)*. Exceptions S. C. Overruled.
- Commonwealth v. Edwin F. Perry. S. J. C. *Keeping open shop on the Lord's day (sale of newspapers)*. Exceptions S. C. Overruled.
- Commonwealth v. Joseph Osgood. S. J. C. *Keeping open shop on the Lord's day (sale of newspapers)*. Exceptions S. C. Overruled.
- Commonwealth v. Charles E. Kendall. S. J. C. *Possession of adulterated milk*. Exceptions (no penalty attached) S. C. Overruled.
- Commonwealth v. Samuel Kendall. S. J. C. *Illegal sale of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. James O'Donnell. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. John V. Schaffner. S. J. C. *Possession of adulterated milk. Presence of annatto-coloring matter*. Exceptions S. C. Not yet argued.
- Commonwealth v. Frank Ferry. S. J. C. *Keeping a pool-room and being present, under sect. 1, chap. 342, Acts of 1885*. Exceptions S. C. Not yet argued.
- Commonwealth v. Simon Geary. S. J. C. *Illegal sale of intoxicating liquors*. Exceptions (to evidence and ruling) S. C. Not yet argued.
- Commonwealth v. George Plaisted. S. J. C. *Violation municipal ordinance; performing on the cornet in the street by member of Salvation Army*. Report S. C. Not yet argued.
- Commonwealth v. Gridley B. Rowell. S. J. C. *Possession of adulterated milk*. Exceptions (as to evidence of partnership) S. C. Not yet argued.
- Commonwealth v. Antonio Russo. S. J. C. *Assault and battery with intent to murder*. Exceptions S. C. Not yet argued.
- Commonwealth v. Neal Doherty. S. J. C. *Delivery of intoxicating liquors on election day*. Exceptions (to evidence of rep-utation) S. C. Not yet argued.

- Commonwealth v. John Sullivan. S. J. C. *Setting up and promoting a lottery*. Exceptions (to evidence) S. C. Not yet argued.
- Commonwealth v. Abram J. Lamb *alias et al. Murder*. Plea of murder in the second degree accepted. Prisoner sent to State Prison for life.
- Commonwealth v. Emil F. Kempf. *Murder*. Plea of murder in the second degree accepted. Prisoner sent to State Prison for life.
- Commonwealth v. Thomas Brennan. *Murder*. Defendant escaped from Taunton Lunatic Hospital, 1880.
- Commonwealth v. Adolph Albrecht. *Murder*. Not yet tried.

WORCESTER COUNTY.

- Commonwealth v. William E. Borroughs. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions (to refusal to examine jury as to bias) S. C. Overruled.
- Commonwealth v. Joseph Harper. S. J. C. *Illegal transportation of intoxicating liquors*. Exceptions (as to evidence of character of place) S. C. Overruled.
- Commonwealth v. Thomas Mullins. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. Dennis Shurn. S. J. C. *Illegal sale of intoxicating liquors*. Exceptions (to evidence of delivery) S. C. Overruled.
- Commonwealth v. Dennis Shurn. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. John W. Watson. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. Simon Savery. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions (to ruling as to ignorance as to kind of liquor) S. C. Overruled.
- Commonwealth v. John Maloney. S. J. C. *Liquor nuisance*. Report S. C. Lower court without jurisdiction. Proceedings quashed.
- Commonwealth v. Edward F. Connolly. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. Patrick Cunningham. S. J. C. *Liquor nuisance*. Exceptions (to ruling as to entry of *nolle prosequi* as to part of complaint) S. C. Sustained.
- Commonwealth v. Michael W. Dunster. S. J. C. *Liquor nuisance*. Exceptions (to ruling as to entry of *nolle prosequi* as to part) S. C. Sustained.
- Commonwealth v. Thomas Enright. S. J. C. *Liquor nuisance*. Exceptions S. C. Overruled.

- Commonwealth v. John Henry. S. J. C. *Liquor nuisance*. Exceptions S. C. Overruled.
- Commonwealth v. Margaret Kennedy. S. J. C. *Liquor nuisance*. Exceptions (to ruling as to examination of jury as to bias) S. C. Overruled.
- Commonwealth v. Daniel Moynihan. S. J. C. *Liquor nuisance*. Exceptions S. C. Overruled.
- Commonwealth v. Timothy Shannihan. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. John Steele. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. John Sullivan. S. J. C. *Liquor nuisance*. Exceptions S. C. Overruled.
- Commonwealth v. Simon Savray. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. Edward Gahagen. S. J. C. *Assault and battery*. Exceptions S. C. Overruled.
- Commonwealth v. E. R. Bartlett. S. J. C. *Illegal sale of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. Thomas B. Bartlett. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions (to refusal to examine jury as to bias) S. C. Overruled.
- Commonwealth v. Charles S. Clifford. S. J. C. *Adultery*. Exceptions (to sentence of presiding judge before exceptions filed) S. C. Overruled.
- Commonwealth v. Gilbert Parker. S. J. C. *Abortion*. Exceptions S. C. Overruled.
- Commonwealth v. Michael Shannihan. S. J. C. *Keeping open shop on the Lord's day*. Exceptions (to complaint: not negating sect. 22, chap. 391, Acts of 1887) S. C. Overruled.
- Commonwealth v. Maurice Wall. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions (to ruling as to revocation of license) S. C. Overruled.
- Commonwealth v. Joseph E. Jacques. S. J. C. *Liquor nuisance*. Exceptions S. C. Overruled.
- Commonwealth v. Patrick McHugh. S. J. C. *Illegal keeping of intoxicating liquors*. Exceptions S. C. Overruled.
- Commonwealth v. Charles W. Cobleigh. S. J. C. *Murder*. Sent to Insane Hospital to await the further order of court.
- Commonwealth v. Patrick McDonald. S. J. C. *Murder*. Plea of guilty of murder in the second degree accepted. Prisoner sent to State Prison for life.

SUFFOLK COUNTY, CIVIL.

- Commonwealth *v.* Troy and Boston Railroad Company and Fitchburg Railroad Company, Trustee. S. C. *Action of contract. Non-payment of rent for Southern Vermont Railroad.* Pending.
- William Washburn, petitioner, *v.* Commonwealth. S. C. *Chapter 195, Public Statutes. Claim for services under contract.* Pending.
- Commonwealth *v.* Liscomb R. Page. *Writ of habeas corpus. Arrested on requisition from New York.* Writ dismissed.
- Commonwealth *v.* Middlesex Central Railroad Company and Boston and Lowell Railroad Company. Middlesex County Commissioners. *Assessment of damages for taking lands at Concord Prison grounds.* Pending.
- Petition (writ of *habeas corpus*) of John Downing. Not called up by petitioner.
- Commonwealth *v.* Joseph H. Converse and Joseph Kampman, Officers Little Rock and Fort Smith Railroad Company. *Action of tort. Failure to comply with chapter 330 of the Acts of 1884.* S. C. Pending.
- Commonwealth *v.* Inhabitants town of Williamstown. S. C. *Action of contract. Non-payment of interest on bonds held by State.* Pending.
- City of Lowell *v.* County Commissioners of Middlesex County and Tremont and Suffolk Mills. *Writ of certiorari: to test validity of assessment of valuation on appeal from assessment of tax commissioner.* Argued but not decided.
- City of Lowell *v.* County Commissioners of Middlesex County and Boott Mills. *Same.* Argued but not decided.
- City of Lowell *v.* County Commissioners of Middlesex County and Merrimack Mills. *Same.* Argued but not decided.
- The Town of Milford, petitioner, *v.* Commonwealth. S. J. C. *Suit for recovery of price for board of pauper.* Exceptions. Argued. Judgment for Commonwealth.
- Martin Wesson, petitioner, *v.* Commonwealth. S. J. C. *Exceptions to decision of Court of Claims against petition.* Argued. Judgment for Commonwealth.
- The Boston Manufacturing Company *v.* Commonwealth. *Petition for abatement and repayment of tax.* Argued. Judgment for Commonwealth.
- Petition, Bay State Beneficiary Association to have reserved fund of Equitable Mutual Relief Society, Mass., held for them by State Treasurer. Pending.

Petition, Bay State Beneficiary Association to have reserved fund of Springfield Life Association held for them by State Treasurer. Pending.

Martin Sennott *v.* H. E. Swan. Report S. J. C. *Writ of habeas corpus.* Not yet heard.

UNITED STATES CIRCUIT COURT.

The Attorney-General *ex rel.* Treasurer of the Commonwealth *v.* Western Union Telegraph Company. *Injunction, non-payment of tax.* From State Court. Argued. Judgment for Commonwealth.

Hannah B. Hall, administratrix estate George M. Hall, *v.* A. W. Locke *et al.*, Manager Troy & Greenfield Railroad and Hoosac Tunnel. *Suit for injuries received on defendant's road.* Not yet tried.

Hannah B. Hall, administratrix estate Agnes M. Hall, *v.* Augustus W. Locke *et al.*, Manager, etc. *Same.* Not yet heard.

UNITED STATES SUPREME COURT.

The Attorney-General *ex rel.* Treasurer of the Commonwealth *v.* Western Union Telegraph Company. *Information for injunction for non-payment of corporation taxes, 1885.* Appeal from Circuit Court (Mass. Dist.). Pending. (See pp. 8, 16.)

MATTERS EX RELATIONE.

The Attorney-General *ex rel.* Commissioner of Corporations *v.* Standard Sewer Trap Company. *Failure to comply with chapter 330, Acts of 1884.* Pending.

The Attorney-General *ex rel.* Commissioner of Corporations *v.* Coram Manufacturing Company. S. J. C. *Failure to make returns required under chap. 106, sect. 54 of the Public Statutes.* Dissolution decreed.

The Attorney-General *ex rel.* Treasurer *v.* Snow Paper Company. *Claim in insolvency.* Pending.

The Attorney-General *ex rel.* Treasurer *v.* National Color Printing Company. *Claim in insolvency.* Pending.

The Attorney-General *ex rel.* Treasurer *v.* Telegram Publishing Company. *Claim in insolvency.* Pending.

The Attorney-General *ex rel.* Treasurer *v.* Goulding Mills. *Claim in insolvency.* Dividend received. (See p. 38.)

- The Attorney-General *ex rel.* Treasurer *v.* Crystal Emery Wheel Company. *Injunction for the non-payment of taxes of 1886.* Discontinued. Taxes and costs received and paid over to Treasurer. (See p. 38.)
- The Attorney-General *ex rel.* Savings Bank Commissioners *v.* Barnstable Savings Bank. *Petition to have case stricken from the docket.* The Attorney-General consents.
- The Attorney-General *ex rel.* Gardiner Tufts, Superintendent Massachusetts Reformatory, *v.* J. Henry Martin & Son, and Wilber F. Whitney, Trustee. S. C. Worcester County. *Claim for work done by prisoners.* Pending.
- The Attorney-General *ex rel.* Commissioner of Corporations *v.* Postal Telegraph Cable Company. *Failure to make returns required under chap. 106, sect. 54, Public Statutes.* Injunction for dissolution. Dissolution decreed.
- The Attorney-General *ex rel.* Commissioner of Corporations *v.* The Olympian Club. *Failure to make returns required under chap. 13, sect. 38, Public Statutes.* Complied with.
- The Attorney-General *ex rel.* Gas Commissioners *v.* Worcester Gas Light Company. *Violation of sect. 14, chap. 61, of Public Statutes.* Penalty paid.
- The Attorney-General *ex rel.* Gas Commissioners *v.* Cottage City Gas Light Company. *Violation of sect. 14, chap. 61 of Public Statutes.* Penalty paid.
- The Attorney-General *ex rel.* Commissioner of Corporations *v.* American Hoop Dressing Company. *Failure to comply with chap. 330 of the Acts of 1884.* Complied with.
- The Attorney-General *ex rel.* Warden of State Prison *v.* Ira & A. E. Blanchard. *Claim in insolvency.* Pending.
- The Attorney-General *ex rel.* Civil Service Commissioners *v.* Harry C. Hill. *Information quo warranto to try title to office.* Pending.
- The Attorney-General *ex rel.* Board of Health *v.* Edward F. Jen- nison. *Public nuisance; rendering establishment in Water- town.* Nuisance abated by a removal of business.
- The Attorney-General *ex rel.* Railroad Commissioners *v.* Hoosac Tunnel and Wilmington Railroad Company. *Violation of sect. 141, chap. 112 of Public Statutes.* Injunction not filed, railroad ceased to be operated for public use. Statute complied with.
- The Attorney-General *ex rel.* Commissioner of Corporations *v.* Capital City Water Company. *Violation of chap. 330 of the Acts of 1884.* Pending.
- The Attorney-General *ex rel.* *v.* Miller's River Gas Light Company. *Violation chap. 14, sect. 61, of Public Statutes.* Referred to District Attorney Worcester County.

The Attorney-General *ex rel.* Commissioner of Corporations *v.* Huston Ship Berth Company. *Violation sect. 54, chap. 106 of Public Statutes.* Complied with.

The Attorney-General *ex rel.* Treasurer *v.* Western Union Telegraph Company. S. J. C. *Injunction for the non-payment of the corporation tax of 1886.* Pending.

The Attorney-General *ex rel.* Treasurer *v.* Western Union Telegraph Company. *Injunction for corporation tax of 1887.* Pending.

The Attorney-General *ex rel.* Commissioner of Corporations *v.* Baker's Pond and Drain Fishing Company. Pending.

The Attorney-General *ex rel.* Commissioner of Corporations *v.* Winona Paper Company. *Failure to make returns required under sect. 54, chap. 106 of Public Statutes.* Pending.

Commonwealth, by Board of Commissioners of Savings Banks, *v.* North Bridgewater Savings Bank.

Same *v.* Reading Savings Bank.

Same *v.* Lancaster Savings Bank. S. J. C. *Petitions for injunctions and winding up of affairs.* Affairs in the hands of receivers.

Same *v.* Sandwich Savings Bank. Affairs closed up.

Same *v.* Scituate Savings Bank. Affairs closed up.

Commonwealth, by Insurance Commissioner, *v.* New England Marine Insurance Company. In the hands of receiver.

Same *v.* Conway Mutual Fire Insurance Company. S. J. C. *Petitions for injunctions and winding up of affairs.* Affairs in the hands of receivers. Receivership discharged.

Commonwealth, by Deputy Insurance Commissioner, *v.* Neptune Insurance Company. S. J. C. *Petition for injunction and winding up of affairs.* In the hands of a receiver.

The Attorney-General *ex rel.* Railroad Commissioners and Selectmen of the Town of Wareham *v.* Onset Bay Grove Association and E. Gerry Brown. S. J. C. *Injunction to restrain the operation of railroad.* Pending.

Attorney-General *ex rel.* William R. Mann and others, Committee of Inhabitants of the Town of Sharon, *v.* Revere Copper Company. S. J. C. *Information for injunction against drawing water from Massapoag Pond.* Pending.

Mary J. Moore, Mary B. Thompson and Belinda A. Dolan, petitioners, *v.* Commonwealth. S. J. C. *Damages for flats taken by Harbor and Land Commissioners.* Referred to an auditor. Pending.

- The Attorney-General *ex rel.* Harbor and Land Commissioners *v.* Marcellas S. Ayer *et al.* and Spiritual Fraternity. S. J. C. *Information for the violation of condition in the deed from the Commonwealth.* Argued, and reserved for consideration by full court. Pending.
- The Attorney-General *ex rel.* Treasurer *v.* Western Union Telegraph Company. *Injunction for the non-payment of taxes for the year 1885.* Defendant transfers the case to United States Court, which see.
- The Attorney-General *ex rel.* Treasurer *v.* The Midland Improvement and Construction Company. *Suit for taxes of 1882.* Affairs in the hands of a receiver.
- The Attorney-General *ex rel.* Treasurer *v.* Standard Paper Bag Company. *Suit for taxes of 1882.* Pending.
- The Attorney-General *ex rel.* Treasurer *v.* Standard Pipe Company. *Suit for taxes of 1883.* Abated.
- The Attorney-General *ex rel.* Treasurer *v.* Union Furnace Company. *Suit for taxes of 1883.* Abated.
- The Attorney-General *ex rel.* Treasurer *v.* Duplex Tag Company. *Suit for taxes of 1884 and 1885.* Abated.
- The Attorney-General *ex rel.* Treasurer *v.* Hall Elevator Safety Attachment Company. *Suit for taxes of 1884 and 1885.* Abated.
- The Attorney-General *ex rel.* Treasurer *v.* Lighthall Cable Tramway Company. *Suit for taxes of 1885.* Pending.
- The Attorney-General *ex rel.* Treasurer *v.* Town of Peru. *Suit for board of pauper.* Pending.
- The Attorney-General *ex rel.* Civil Service Commissioners *v.* The Mayor and Aldermen of the City of Northampton. *Writ of certiorari to compel appointment of veterans under chap. 320, Acts of 1884.* Writ dismissed.
- The Attorney-General *ex rel.* Secretary of the Commonwealth *v.* George Robinson, Standing Justice. *Failure to make return required by chap. 169, Acts of 1886, for the year 1886.* Returns received.
- The Attorney-General *ex rel.* Secretary of State *v.* George Robinson, Standing Justice District Court, Eastern Hampden. *Failure to make returns under chap. 16, sect. 72, Public Statutes, for 1884 and 1885.* Made for 1885. Pending as to 1884. Referred to District Attorney.

The Attorney-General *ex rel.* Treasurer *versus* —

Abbott Spinning Company.
American Cultivator Publishing Company.
Avery Carbonic Acid Gas Company.
Bagnall and Loud Block Company.
Black Rocks and Salisbury Beach Street Railway Company.
Boston Coffee House Company.
Boston Wall Paper Company.
Brockton Gazette Publishing Company.
Budget Publishing Company.
C. F. Jewett Publishing Company.
Cape Ann Granite Company.
Charles W. Copeland Manufacturing Company.
Chemical Paper Company.
Chicopee Folding Box Company.
Citizens' Electric Light Company.
Consumers' Gas Company of Boston.
Crystal Emery Wheel Company.
Educational Supply Company.
Elwell Heddle Company.
Foote Refrigerator Company.
George J. Raymond Company.
Grafton Water Company.
Greenfield Tool Works.
H. D. Watson Publishing Company.
Herman W. Ladd Company.
Hero Cough Syrup Company.
Highland Foundry Company.
L. A. May Company.
Lake Piano Company.
Lancaster Water Company.
Lewis Engraving Company.
Lynn District Message and Telegraph Company.
Lynn Ice Company.
Manufacturers' Gazette Publishing Company.
Marblehead Water Company.
Marlborough Schuyler Electric Light Company.
Mayall Patent Company.
Metropolitan Cab Company.
National Knights of Labor Co-operative Elastic Fabric Company.
National Plaster Company.

The Attorney-General *ex rel.* Treasurer *versus* —

Norway Tanning Company.
 North Attleborough Steam and Electric Company.
 Pacific Guano Company.
 Peoples' Line.
 Prescott Manufacturing Company.
 Rand Avery Company.
 Revere Rubber Company.
 Riverside Lumber Company.
 S. A. Woods Machine Company.
 Salter Silk Company.
 Security Associates.
 Sherman Machine Company.
 Standard Publishing Company.
 Standard Pulp Company.
 Suspension Transportation Company.
 Union Stone Company.
 United Manufacturing Company.
 United States Fire Works Company.
 Vacuum Refrigerator Company.
 Vendome Cigar Manufacturing Company.
 W. T. M. Injector Company.
 Walpole Emery Mills.
 Walpole Woollen Mills.
 Westfield Electric Light Company.

Failure to pay corporation tax of 1887. (Received January 2.)

A large per cent of these taxes have already been collected.

The Attorney-General *ex rel.* Treasurer *versus* —

Nantasket Beach Railroad Company.
 Nantucket Railroad Company.
 Worcester and Shrewsbury Railroad Company.
 Pittsfield Street Railway Company.

Failure to pay proportional part of Railroad Commissioners' expenses. (Received and paid over.)

The Attorney-General *ex rel.* Treasurer *versus* —

Citizens' Steam and Gas Light Company of Lynn.
 Gloucester Gas Light Company.
 Nahaum D. Wilber Gas Light Company.

Failure to pay proportional part of Gas Commissioners' expenses.
 (Received from Treasurer, Jan. 4, 1888.)

The Attorney-General *ex rel.* Deputy Tax Commissioner *versus* —

Adams Gas Light Company.
Albert Field Tack Company.
American Chlorine and Chemical Manufacturing Company.
Art Newspaper Company.
Atherton Machine Company.
Athol Water Company.
Atlantic Telegraph Company of Massachusetts.
Atlantic Dye Wood Company.
B. B. Hill Manufacturing Company.
Barnaby Manufacturing Company.
Bay State Felt Boot and Shoe Company.
Bay State Gas Company.
Boston Bijou Theatre Company.
Boston Thread and Twine Company.
Bridgewater Water Company.
Brown Hotel.
Chicopee Folding Box Company.
Commercial Manufacturing Company.
Concord Creamery.
Consumers' Gas Company of Boston.
Co-operative Printing and Publishing Company.
Empire Steamboat Company.
Equal Rights Co-operative Association.
Fall River Daily Sun Publishing Company.
Fall River Merino Company.
First Mutual Fire Insurance Company.
Fitchburg Tool Company.
Florence Machine Company.
Franco-American Publishing Company.
Franklin Electric Light Company.
Glen Woollen Company.
Globe Worsted Mills Company.
Grafton Water Company.
Great Barrington Gas Light Company.
Greylock Institute Water Company.
Hamden Watch Company.
Holyoke and Springfield Steamboat Company.
Hoosac Tunnel and Wilmington Railroad Company.
Hotel Pemberton.
Ideal Coffee Company.
Katama Land Company.

The Attorney-General *ex rel.* Deputy Tax Commissioner *versus* —

Knights of Labor Co-operative Boot and Shoe Company.
Konkapot Valley Railroad Company.
L. L. Brown Paper Company.
Lawrence Manufacturing Power Company.
Lechmere Rendering Company.
Lowell Horse Railroad Company.
Massachusetts and Southern Construction Company.
Massachusetts and Cable Construction Company.
Minot Manufacturing Company.
Nashua, Acton and Boston Railroad Company.
Natick Citizens Printing Company.
Never-slip Horse Shoe Company.
Newburyport and Amesbury Horse Railroad Company.
Newton Mills.
Norwood Gas Light Company.
Oak Bluff Land and Wharf Company.
Oriental Coal Oil Company.
Osborn Mills.
Pacific Guano Company.
Phœnix Machine Company.
Porter Manufacturing Company.
Pure Flowing Water Company.
Reading Water Company.
Revere Gas Light Company.
Richmond Iron Works.
Riverside Lumber Company.
Scituate Co-operative Shoe Company.
Sewall and Day Cordage Company.
Sharon Water Company.
Springfield Printing Company.
Standard Sugar Refinery.
Steel Edged Dust Pan Company.
Stevens Furnace Company.
Suffolk Bottling Company.
Tremont Foundry.
Tropical Products Company.
Turners Falls Driving Association.
West Ware Paper Company.
Whitehead and Atherton Company.
Whiting Paper Company.
Wilder Manufacturing Company.
Williamstown Water Company.

The Attorney-General *ex rel.* Deputy Tax Commissioner *versus*—

Winslow's Rheumatic Plaster Company.

Woolson Machine Company.

Suffolk Glass Company.

Eagle Mill Company.

Egremont Co-operative Creamery.

Haverhill Iron Works.

Vulcanite Manufacturing Company.

Failure to make returns required by chap. 13, sect. 38. Complied with. No injunctions filed.

The Attorney-General *ex rel.* Commissioner of Corporations *v.* Massachusetts Co-operative Association. *Failure to make returns required under chap. 13, sect. 38.* Pending.

The Attorney-General *ex rel.* Treasurer *versus*—

American Cultivator Publishing Company, . . .	\$146 97
American Oil Stove Company,	60 33
American Rapid Telegraph Company of Massachu- setts,	434 40
Bagnall and Loud Block Company,	1,761 35
Banker's and Merchant's Telegraph Company of Mas- sachusetts,	292 93
Boston and Hingham Steamboat Company, . . .	989 56
Boston Clock Company,	1,063 58
Budget Publishing Company,	110 23
Butcher Polish Company,	14 78
Cape Ann Granite Company,	664 53
Charles River Street Railway Company,	1,018 29
Childs and Kent Express Company,	292 88
Consumers' Gas Company of Boston,	3,662 23
Crystal Emery Wheel Company,	135 44
Educational Supply Company,	332 04
Fall River Merino Company,	197 97
Hamilton Vocalion Organ Manufacturing Company, .	1,281 89
Hero Cough Syrup Company,	28 60
Goulding Mills,	1,076 10
L. A. May Company,	514 40
Lancaster Water Company,	293 32
Lewis Engraving Company,	59 13
Lockwood Manufacturing Company,	2,417 07
Manufacturers' Gazette Company,	70 54
Marlborough Schnyler Electric Light Company, .	198 63
Mayall Patent Company,	9 41
Mutual News Company,	51 28

The Attorney-General *ex rel.* Treasurer *versus* —

Mystic Rubber Company,	\$603 82
Nantucket Railroad Company,	107 32
Phoenix Brewing Company,	404 18
Riverside Lumber Company,	67 03
South Boston Iron Company,	73 24
Vendome Cigar Manufacturing Company,	55 00
Acushnet Street Railway Company,	921 36
Boston Wall Paper Company,	339 83
Lynn Ice Company,	1,006 94

Total,	\$20,756 60
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(Corporation taxes of 1886.) Received and paid over
to the Treasurer.

The Attorney-General *ex rel.* Treasurer *versus* —

Robert B. Edes (Insurance agent tax, 1886),	\$7 10
E. S. Farnsworth, " " "	10 28
F. A. Judd, " " "	476 77
Van Dusen and Lyall, " " "	23 80

Total,	\$517 95
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Received and paid over to the Treasurer.

The Attorney-General *ex rel.* Commissioner of Corporations
versus —

Newton Mills,	\$5 00
North Dighton Co-operative Store Co.,	5 00
Weymouth Gas Company,	5 00
Brown's Hotel,	5 00
Banker's and Merchant's Telegraph Co.,	5 00

Fees under sect. 84, chap. 106 of the Public Statutes
for filing returns under sect. 54, chap. 106.

Received and paid over.

REQUISITION PAPERS.

Sent to this department by His Excellency the Governor for examination and report thereon:—

- Jan. 8. On New York, for Isaac Landau, for the crime of larceny. Bristol ss. Advise to issue.
- Jan. 15. On New York, for John Myers, for the crime of breaking and entering a railroad car, with intent to steal. Berkshire ss. Advise to issue.
- Jan. 15. On New York, for Edward Jones, *alias*, for the crime of obtaining money under false pretences. Berkshire ss. Advise to issue.
- Jan. 21. From Connecticut, for Michael D. Fitzgerald, for the crime of failure to support wife. Advise not to issue.
- Jan. 25. On New York, for William F. Judd, for the crime of larceny. Berkshire ss. Advise to issue.
- Feb. 8. On New York, for George P. Hees, for the crime of theft. Berkshire ss. Advise to issue.
- Feb. 8. From New York, for Frank V. Cook, for the crime of bigamy. Advise to issue.
- Feb. 26. On California, for William D. Reed, for the crime of forgery. Plymouth ss. Advise to issue.
- Feb. 26. From Maine, for Ezra T. J. Whitton, for the crime of larceny. Advise to issue.
- March 8. On New York, for John Matthews, for the crime of breaking and entering. Suffolk ss. Advise to issue.
- March 8. On New York, for Robert H. Atkinson, for the crime of cheating by false pretences. Suffolk ss. Advise to issue.
- March 8. On New York, for James Fitzgerald, for the crime of illegal sale of intoxicating liquors (to avoid sentence therefor). Berkshire ss. Advise to issue.

- March 10. On Nebraska, for Oliver A. Whipple, for the crime of receiving stolen property. Essex ss. Advise to issue.
- March 11. On Pennsylvania, for Matthew Cunningham, for the crime of escaping from lawful custody. Suffolk ss. Advise to issue.
- March 19. On New York, for Andrew Jackson Grant, for the crime of larceny. Middlesex ss. Advise to issue.
- March 23. From New Hampshire, for Henry F. Davis, for the crime of embezzlement. Advise to issue on March 29, papers having been amended.
- March 30. On Ohio, for Kate Ray, for the crime of larceny. Middlesex ss. Advise to issue.
- April 6. On New York, for George Willis, for the crime of larceny. Suffolk ss. Advise to issue.
- April 11. On New York, for Henry H. Drew, for the crime of embezzlement. Suffolk ss. Advise to issue.
- April 12. On New York, for George H. Morse, for the crime of embezzlement. Worcester ss. Advise to issue.
- April 27. From Maryland, for Arthur M. Morrison, for the crime of larceny. Advise to issue.
- May 5. From New York, for John Lyon, for the crime of grand larceny. Advise to issue.
- May 31. On New York, for John L. Brainard, for the crime of forgery. Berkshire ss. Advise to issue.
- June 8. On New York, for Henry C. McAlpine, for the crime of adultery. Suffolk ss. Advise to issue.
- June 13. From Rhode Island, for James Glaney, for the crime of breaking and entering. Advise to issue.
- June 20. On Maine, for James A. Carle, for the crime of selling mortgaged property. Advise to issue.
- June 21. From New York, for James H. Ames, for the crime of grand larceny. Advise to issue.
- June 23. On the Dominion of Canada, for John L. Brainard, for the crime of forgery. Berkshire ss. Advise to issue June 30, papers having been amended.
- June 30. On Connecticut, for Leon N. Moreau, for maintaining a liquor nuisance. Worcester ss. Advise to issue.
- July 27. On Michigan, for F. W. Foster, for the crime of false pretences. Advise to issue.

- July 28. From Virginia, for James F. Oates, for the crime of grand larceny. Advise not to issue.
- August 2. From Illinois, for Cyrus L. Murch, for the crime of false pretences. Advise to issue.
- August 15. On New York, for John Ganey, for the crime of larceny. Advise to issue.
- August 23. From Pennsylvania, for Charles Donnelly, for the crime of larceny. Advise to issue.
- August 26. From Connecticut, for Fred Benway, for the crime of illegal sale of liquor. Advise to issue, after papers were amended.
- August 26. On New York, for Fred N. Chandler, for the crime of breaking and entering. Advise to issue.
- August 27. On New York, for Lesten Baxter, for the crime of breaking and entering. Advise to issue.
- Sept. 2. From Connecticut, for Clement Brown, for the crime of forgery. Advise to issue, under conditions.
- Sept. 2. On New Jersey, for John Tromdley, for the crime of larceny. Bristol ss. Advise to issue.
- Sept. 6. From Rhode Island, for James Chain, Jr., for the crime of breaking and entering. Advise to issue.
- Sept. 15. On Connecticut, for John J. Husband, for the crime of escaping from prison. Suffolk ss. Advise to issue.
- Sept. 16. On New York, for Daniel Credon, for the crime of polygamy. Hampden ss. Advise to issue.
- Sept. 22. On New York, for Richard H. Treadwell, for the crime of larceny. Suffolk ss. Advise to issue.
- Oct. 1. From New York, for Augustus Johnson, for the crime of grand larceny. Advise to issue.
- Oct. 18. From Vermont, for Eugene E. Wright, for the crime of horse stealing. Advise to issue.
- Oct. 22. On New York, for John Casey, for the crime of escaping from prison. Worcester ss. Advise to issue.
- Oct. 31. On New York, for John P. Montgomery, for the crime of larceny. Advise to issue, after papers were amended.
- Nov. 2. From Ohio, for T. P. Whitrock, for the crime of grand larceny. Advise to issue.

- Nov. 4. From Vermont, for George W. Rich, for the crime of horse stealing. Advise to issue Nov. 11, after the papers were amended.
- Nov. 5. From New Jersey, for John Welger, for the crime of breaking jail. Advise to issue.
- Nov. 15. On the Dominion of Canada, for Charles Wilson, for the crime of forgery. Advise to issue, after papers were amended.
- Nov. 15. On Illinois, for Ruth Minor and George Carson, for the crime of larceny. Suffolk ss. Advise to issue.
- Nov. 25. From New Hampshire, for William L. Brow, for the crime of abduction for the purpose of prostitution. Advise to issue.
- Dec. 9. From New York, for Liscomb R. Page, for the crime of false pretences. Advise to issue. The case subsequently heard on writ of habeas corpus; requisition sustained.
- Dec. 9. On New York, for Mitchell Stone, for the crime of larceny. Advise to issue, after the papers were amended.
- Dec. 13. On New Hampshire, for Michael M. Crowley and Etta M. Paty, for the crime of adultery. Advise to issue.
- Dec. 19. On New York, for Charles Walter Knowlton, for the crime of larceny. Worcester ss. Advise to issue.
- Dec. 27. On New York, for Michael O'Connor, for the crime of escaping from jail. Berkshire ss. Advise to issue, after the papers were amended.
- Dec. 27. From New York, for Edward Clark, for the crime of grand larceny. Advise to issue.

HEARINGS.

Application for use of name for information against selectmen of the town of Ipswich to test legality of town election. Use of name refused.

Application for use of name for information against treasurer of the town of Attleborough. Use of name granted.

Application for use of name for mandamus to compel Board of Police to establish houses of detention. Notices sent. Name not used.

Application for use of name against selectmen of the town of Dedham to try title to office. Granted.

Application for use of name against City Council of city of Boston to compel appointment of police matrons. Granted.

Application for use of name for information against one of the selectmen of the town of Dedham. Refused.

Application for use of name for information against officers of the city of Chelsea to test validity of town election. Granted.

Application for the use of name in writ of *quo warranto* against two members of the school board of the city of Lowell to try title to office. Granted.

Application for use of name for information to test the validity of town meeting of Dedham. Granted.

Application for use of name for an information against Robert Tarr to restrain from obstructing the landing at Magnolia. Granted.

Hearing as to the right of the Iron Hall Insurance Company to do business in Massachusetts. After three hearings business decided to be illegal.

Hearing as to defence of the town of Williamstown for non-payment of bonds of Hoosac Tunnel Railroad. Matter now in suit.

CASES

Requiring the Attorney-General's Supervision, though not conducted by him.

Attorney-General, *ex rel. v.* James O. Parker. S. J. C. *Trust.*
Pending.

Attorney-General *ex rel. v.* William B. Washburn *et al.* *Charitable Trust.*

Bullard *et al. v.* Chandler *et al.* S. J. C. *Construction of a will.*
Pending.

The Attorney-General *ex rel.* Hawes Place Congregational Church
and the Second Hawes Congregational Society *v.* Trustees of
the Hawes Fund of Boston. S. J. C. Not yet heard.

Holmes *et al. v.* Coates *et al.* S. J. C. *Construction of a will.*
Pending.

The Attorney-General *ex rel.* Maria Adams *et al. v.* Robert Tarr.
Injunction to prevent obstructing landing at Magnolia.

The Attorney-General *ex rel.* S. J. Johnson *et al. v.* Charles H.
Conant. Writ of *quo warranto* to try title to office of school
board.

West Parish in Barnstable *et al. v.* The Inhabitants of the Town
of Barnstable *et al.* and Attorney-General. S. J. C. *Execu-
tion of school trust.* Pending.

Attorney-General *ex rel.* Samuel Patch and William Guinan *v.*
Henry P. Sherman and Henry W. Howe, Commissioners of
Public Buildings. *Quo warranto to try title of.* Pending.

Francis J. Stratton *et al. v.* The Attorney-General. S. J. C.
Charitable trust. Pending.

The Attorney-General *v.* Proprietors Rowe's Wharf. S. J. C.
Information for an injunction. Not yet heard.

George White, Executor, *v.* City of Boston *et al.* Pending.

In re Estate of William Hale. Probate Court. *Claim of next of
kin.* Pending.

Petition of Trustees of Hawes Fund in Boston for instructions under will. S. J. C. Pending.

In re the Society for Promoting Christian Knowledge. *Petition for transfer of funds.* Pending.

In re Sarah C. Bent. *Petition for interpretation of will of Sarah T. Chaplin.* Pending.

The Attorney-General by information *v.* City Council of Boston and Board of Police. *For mandamus to compel performance of duty in fixing salary of police matrons.* Use of name granted. City Council complies. Information withdrawn.





